

P-401/CP-89-951 ORDER GRANTING TIME EXTENSION

BEFORE THE MINNESOTA PUBLIC UTILITIES COMMISSION

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Chair
Commissioner
Commissioner
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Commissioner

In the Matter of a Petition for
Extended Area Service from the
Hokah Exchange to the LaCrosse,
Wisconsin Calling Area

ISSUE DATE: October 21, 1991

DOCKET NO. P-401/CP-89-951

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PROCEDURAL HISTORY

On October 24, 1989, subscribers in the Hokah exchange of Ace Telephone Association filed a petition with the Commission requesting extended area service (EAS) with the LaCrosse, Wisconsin calling area. The LaCrosse calling area is served by Century Telephone. Traffic between Hokah and LaCrosse is interstate and interLATA, carried by interstate carriers.

Between October 24, 1989, and February 27, 1991, Ace filed two sets of cost studies and proposed rates pursuant to Minn. Stat. § 237.161 (1990). On February 27, 1991, the Department of Public Service (the Department) was granted a time extension until April 29, 1991 to file its report and recommendation regarding the cost studies.

On April 22, 1991, the Department asked the Commission to make a determination regarding the meaning of "affected telephone company" as referred to in Minn. Stat. § 237.161, subd. 3 (b) (1990): "The commission shall establish rates that are income neutral for each affected telephone company at the time at which the commission determines the extended area service rates." The Department specifically asked the Commission to determine if interexchange carriers and intraLATA intrastate carriers are "affected telephone companies" which must remain income neutral after the installation of an EAS route.

On May 24, 1991, the Commission issued its ORDER EXTENDING TIME FRAMES, in which the Department was granted a 90 day time extension in which to file its report and recommendation.

On July 16, 1991, the Commission issued its ORDER ESTABLISHING COMMENT AND REPLY PROCEDURE. In that Order, the Commission required interexchange carriers to comment on the meaning of the term "affected telephone company" within 30 days.

On September 10, 1991, the Department filed a request for a 60 day time extension to file a report and recommendation. The Commission met to consider the request on October 9, 1991.

FINDINGS AND CONCLUSIONS

The question of whether an interexchange carrier is an "affected telephone company" pursuant to Minn. Stat. § 237.161 (1990) remains unresolved. The answer to this question, when decided by the Commission, will directly affect cost studies in the Hokah/LaCrosse interstate EAS route. For this reason, the Commission finds that it is appropriate to grant a time extension for the Department's report until after this key question is resolved. The Commission will grant the Department a time extension to file its report and recommendation.

ORDER

1. The Department is granted a time extension in which to file its report and recommendation, until 60 days from the issuance of the Commission's Order regarding the meaning of the term "affected telephone company."
2. This Order shall become effective immediately.

BY ORDER OF THE COMMISSION

Richard R. Lancaster
Executive Secretary

(S E A L)